



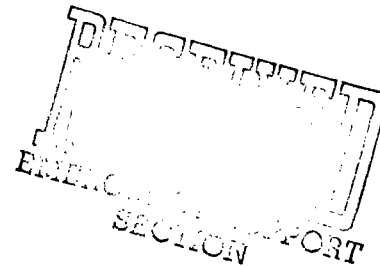
303232



**OFFICE OF THE ATTORNEY GENERAL**  
STATE OF ILLINOIS

**Jim Ryan**  
ATTORNEY GENERAL

March 10, 1998



Bill Ryczek  
U.S. EPA  
77 W. Jackson St.  
Chicago, IL 60604  
SE-5J

RE: Property at 97th and Cottage Grove

Dear Mr. Ryczek:

Enclosed please find copies of IEPA inspection reports at the facility and a copy of our Complaint pending in Circuit Court. Please let me know what action the U.S. EPA is taking and what the situation is regarding the property,. If I can be of any further assistance, please feel free to contact me.

Very truly yours,

Ellen O'Laughlin  
Assistant Attorney General  
Environmental Bureau  
100 West Randolph Street, 11th Floor  
Chicago, Illinois 60601  
(312) 814-3532

# RCRA INSPECTION REPORT

**TYPE OF FACILITY****TYPE OF INSPECTION**

## NON-REGULATED STATUS

**PART A N/A**

Part A Withdrawal requested: \_\_\_\_/\_\_\_\_/\_\_\_\_ Approved by (US)(IL) EPA: \_\_\_\_/\_\_\_\_/\_\_\_\_.

## Part B Permit Submitted: Y or N      /      /      Final Permit Issued:      /      /      /

Illinois Attorney General: (Y) or N 5 / 5 / 95 County State's Attorney: Y or (N) \_\_\_ / \_\_\_ / \_\_\_

Federal Court Order: \_\_\_\_/\_\_\_\_/\_\_\_\_ State Court Order: \_\_\_\_/\_\_\_\_/\_\_\_\_ IPCB Order: \_\_\_\_/\_\_\_\_/\_\_\_\_

Activity by  
Process Code

On Page A2

Activity Conducted  
Prior to 1980?

Was Activity  
Ever Done?



Being done at  
Time of Insp.?

Exempt per  
35 IAC. Sec.

### On Annual Report

19	19	19
----	----	----

501

N

Y

 $\wedge$ 

Y

N/A

**OWNER****OPERATOR** (Moving to)

Name	United Air Cleaner Co.	Name	TDC - UAC, Inc.
Address	9705 S. Cottage Grove	Address	1331 S. 55th Ct.
City	Chicago	City	Cicero
State	IL	State	IL
Zip	60628	Zip	60804
Phone #	773/734-5000	Phone #	708/222-5660

**PERSON(S) INTERVIEWED****TITLE****PHONE #**

Robert Ligocki	V. P. of Operations	708/222-5660
		773/734-5000

**INSPECTION PARTICIPANT(S)****AGENCY/TITLE****PHONE #**

Richard Reich	<del>IEPA</del> IEPA / EPS	708/338-7900

**PREPARED BY****AGENCY/TITLE****PHONE #**

Richard Reich	IEPA / EPS	708/338-7900
---------------	------------	--------------

**SUMMARY OF APPARENT VIOLATIONS**

Area	Class	Section
DOR	1	703.121(a)
GPT	1	722.134(d)
GPT	1	722.134(d)(5)
DGS	2	725.112(b)
DGS	1	725.113(a)
DGS		725.113(b)
DGS	1	725.114(c)
DGS	2	725.115(a)
DGS	2	725.115(b)
DGS	1	725.116(a)
DGS	2	725.116(d)
DPP	1	725.131
DPP	2	725.137(a)

Area	Class	Section
DGP	1	725.151(a)
DGP	2	725.155
DMR	2	725.173(a)
DMR	2	725.175
DCL	1	725.212(a)
DPR	1	725.242(a)
DML	1	725.271
DML	1	725.273(a)
DML	1	725.273(b)
DML	2	725.274
DPP	1	725.135
DLB	1	728.150(c)

Area	Class	Section

United Air Cleaner (UAC-TDC)  
0316505004 - Cook County  
ILD096798210  
March 25, 1997

#### **NARRATIVE**

Prepared by Richard Reich

On March 25, 1997, Richard Reich of the Illinois EPA conducted a follow-up inspection at United Air Cleaner at the request of DLC. Apparently, United Air Cleaner went into bankruptcy and the assets of the company were bought out by TDC Filter Manufacturing. The new combined company is now called TDC-UAC, Inc. TDC-UAC bought the former United Air Cleaner in December 1995, and they have been operating the facility ever since. Approximately 200 drums of hazardous waste remain on-site from the former United Air Cleaner owners.

According to TDC-UAC, the waste does not belong to them because they bought only the assets of the former United Air Cleaner. However, they did move the waste into the building from outside where it had been left by the former owners. Since moving the waste inside, TDC-UAC has left the waste alone. At the time of the purchase of United Air Cleaner, there were some negotiations with the AG (Ellen O' Laughlin - Civil) for TDC-UAC to remove the waste from the site. According to TDC-UAC representatives, Jack Bailey of the AG's criminal investigation told them to leave the waste on-site following a June 1996 sampling event. This situation was not confirmed with Mr. Bailey. TDC-UAC plans on moving these operations to combine them with their plant in Cicero and leaving this location within two months time.

Meanwhile, one of the former owners of United Air Cleaner Co., Yasar Samarah, who remains responsible for past violations and was the owner of the company when most of the stored waste was generated is now the owner of the New Demert & Dougherty, and is working at the below location:

Yasar Samarah  
DeMert & Dougherty, Inc.  
1300 North Street  
Coal City, IL 60416-1299  
(815) 634-2303

#### **Apparent Violations**

The following apparent violations are cited against TDC-UAC for being the operator of a hazardous waste storage facility, and the owners of the former United Air Cleaner Co. (Yasar Samara) as the previous owners of the facility for which violations remain outstanding:

United Air Cleaner (UAC-TDC)  
0316505004 - Cook County  
ILD096798210  
March 25, 1997

- 703.121(a) The facility is conducting a hazardous waste storage operation without a permit.
- 722.134(d) The quantity of waste on-site has exceeded 6000 kilograms.
- 722.134(d)(5) The facility has not designated an emergency coordinator, posted the required information, or trained employees in hazardous waste handling and emergency procedures.
- 725.112(b) The owner/operator did not provide required notices to the Agency prior to transferring ownership/operational control of the facility.
- 725.113(a) The facility has not analyzed each waste.
- 725.113(b) The facility has no written waste analysis plan.
- 725.114(c) The required "Danger" sign has not been posted.
- 725.115(a) The facility is not being inspected for problems which may lead to a release of hazardous waste.
- 725.115(b) No written inspection schedule has been developed for the facility.
- 725.116(a) The facility does not have a hazardous waste training program.
- 725.116(d) Written job titles and descriptions are not being maintained at the facility.
- 725.131 The facility is not being operated or maintained to minimize the possibility of a release of hazardous waste which could threaten human health or the environment.
- 725.135 The facility is not maintaining adequate aisle space.
- 725.137(a) The facility does not have proof of arrangements with local authorities.
- 725.151(a) There was no contingency plan available at the time of the inspection.

United Air Cleaner (UAC-TDC)  
0316505004 - Cook County  
ILD096798210  
March 25, 1997

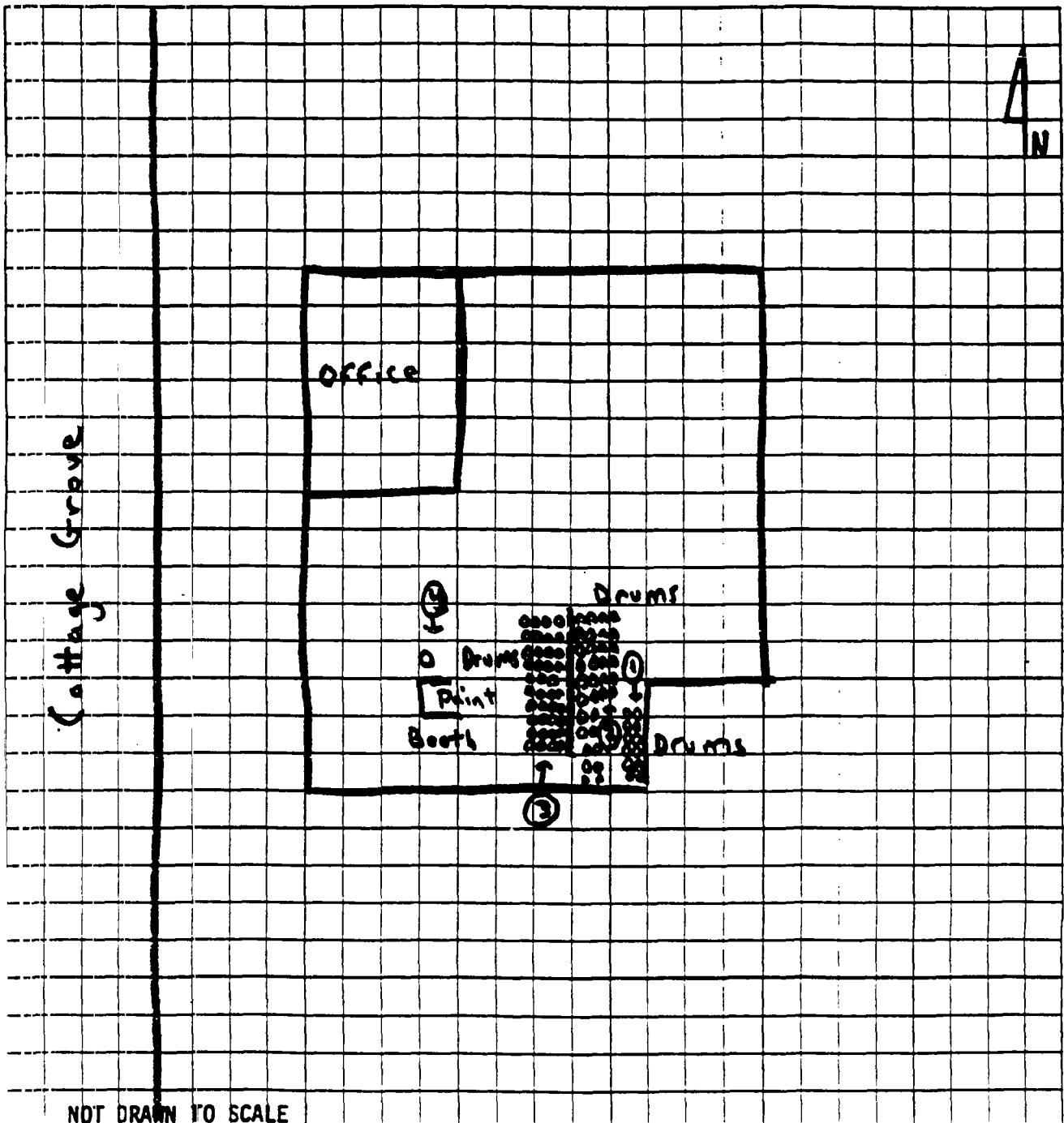
- 725.155            There is not an emergency coordinator on-site or on call at all times, and the emergency coordinator is not familiar with all of the required information.
- 725.173(a)        The facility is not maintaining a written operating record.
- 725.175           No annual report has been submitted for the facility.
- 725.212(a)        The facility has no closure plan.
- 725.242(a)        The facility has not prepared a written estimate of closure costs.
- 725.244(a)        The facility has not prepared a written estimate of post-closure costs.
- 725.271           The facility has not transferred waste from containers in poor condition to new containers.
- 725.273(a)        Containers of waste are not always kept closed.
- 725.273(b)        Some containers are not being stored in a way which will prevent leaking.
- 725.274           Containers are not being checked on a weekly basis for leaks or deterioration.
- 728.150(c)        The facility has stored waste on-site for greater than one year.



STATE OF ILLINOIS  
ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: 3/25/97 Inspector: R. Reich  
Site Code: 0316505004 County: Cook  
Site Name: United Air Cleaner Co. Time: 10:00a - 10:45a



NOT DRAWN TO SCALE

# RCRA INSPECTION REPORT

**TYPE OF FACILITY****TYPE OF INSPECTION**

**NON-REGULATED STATUS** N/A

**PART A**    **N/A**

**PART B PERMIT APPLICATION** *N/A*

## ENFORCEMENT

**ORDERS ISSUED** N/A

**TSD FACILITY ACTIVITY SUMMARY**[illegible]



United Air Cleaner  
0316505004 - Cook  
ILD096798210  
June 9, 1995

#### **NARRATIVE**

On June 9, 1995, Richard Reich of the Illinois EPA performed a RCRA Follow-up inspection at United Air Cleaner (UAC) Company at 9705 S. Cottage Grove in Chicago. The purpose of the inspection was to assess the status of the outstanding violation (728.150(c)) which the facility agreed to correct by May 13, 1995 at their Pre-Enforcement Conference dated January 11, 1995, in a signed statement dated January 18, 1995, and which was verified by Yasar Samarah, President of UAC during the previous inspection on April 18, 1995.

The facility has changed ownership since the last inspection. The new owner as of May 6, 1995, William Janney told the inspector in a previous phone conversation that he was not informed of the severity of the environmental violations at the facility during the facility purchase. According to Mr. Janney, the property is still owned by American Filtrona Corp. of Richmond, Virginia, a former facility owner. The forwarding address for the former owner, Yasar Samarah was unavailable.

During the inspection, Mr. Reich met with the Plant Manager, John La Magdeleine. Once again, the facility has failed to meet the agreed deadline for resolving violations. None of the hazardous waste which has now been in storage on-site for well over a year since Mr. Reich's first inspection had been shipped off-site for treatment or disposal. The inspector observed that the facility has still not complied with even the simplest requirements such as keeping containers of hazardous waste closed, and labelling requirements. Mr. La Magdeleine agreed to begin to address the violations. In return, Mr. Reich agreed to provide informational assistance to the company in resolving the violations. A meeting had been set up between the IEPA and the new owners on May 31 to discuss compliance issues; however, this was postponed by the facility. A new date has not been set for the meeting.

#### *Apparent Violations Outstanding*

- |            |  |
|------------|--|
| 703.121(a) | The facility is conducting a hazardous waste storage operation without a permit.     |
| 722.111    | The facility has not performed a hazardous waste determination on all of its wastes. |
| 722.134(a) | The facility has not complied with Part 725 Subparts C, D and I, or Section 725.116. |

United Air Cleaner  
0316505004 - Cook  
ILD096798210  
June 9, 1995

- 725.115(a)      The facility is not inspected for problems which may lead to a release of hazardous waste.
- 725.115(b)      No written inspection schedule has been developed for the facility.
- 725.173          The facility is not maintaining a written operating record.
- 725.212(a)      The facility has no closure plan.
- 725.242(a)      The facility has not prepared a written estimate of closure costs.
- 728.107(a)      The facility has not determined whether its waste is restricted from land disposal.
- 728.150(c)      The facility has stored waste on-site for greater than one year.

FOLLOW-UP INSPECTION

DATE: 6/9/95  
 TO: Deanne Virgin HWRC, TECHNICAL COMPLIANCE UNIT  
 FROM: Richard Reich Maywood Region  
 SUBJECT: United Air Cleaner Cook  
 (Facility Name) (County)  
 IL 0096798210 0316505004  
 (USEPA ID Number) (State ID Number)

2/16/94 (Date of Initial Inspection)

On 6/9/95 a follow-up inspection was completed, resolving the following violations:

SECTION	SECTION	SECTION

Check Box If Applicable:

☒ Outstanding violations remaining; see summary of apparent violations/narrative.

☐ Send PECL for outstanding violations.

☐ New violations cited.

Comments: No violations were resolved by  
this inspection.